



BENSALEM TOWNSHIP

Building and Planning Department
2400 Byberry Road • Bensalem PA 19020
215-633-3644 • FAX 215-633-3653

Exhibit Z-4

Zoning Hearing Board

Appeal Number: _____

Township of Bensalem, Bucks County, Pennsylvania Notice of Appeal

Appeal is hereby made by the undersigned from the action of the Zoning Officer.

Check applicable item(s):

- ☐ Certification of Non-Conforming Use
- ☐ Application for Validity Challenge
- ☐ Administrative Officer in refusing my application for a building permit dated: _____
- ☐ Special Exception
- ☒ Variance from the terms of the Zoning Ordinance of the Township of Bensalem

Appellant Name: Alex and Dez Tkach

Address: 6379 Sterling Avenue
Bensalem, PA 19020

Phone No. [REDACTED]

Owner's Name: Ilva Sivchuk

Address: 920 Old Dolington Road
Newtown, PA 18940

Phone No. _____

Attorney Name: Charles O. Marte, Jr.

Address: 344 S. Bellevue Avenue
Langhorne, PA 19047

Phone No. [REDACTED]

Interest of appellant, if not owners (agent, lessee, etc.): _____

1. Application relates to the following:

Check items if applicable:

- | | |
|--|--|
| <input type="checkbox"/> Use | <input type="checkbox"/> Lot Area |
| <input type="checkbox"/> Height | <input type="checkbox"/> Yards |
| <input type="checkbox"/> Existing Building | <input type="checkbox"/> Proposed Building |
| <input type="checkbox"/> Occupancy | |
| <input checked="" type="checkbox"/> Other: (describe) <u>Variance from Section 232-58 to permit an in-ground swimming pool to be constructed in a floodplain</u> | |

2. Brief description of Real Estate affected:

Tax Parcel Number: 2-56-91 thru 104 inclusive

Location: 6379 Sterling Avenue, Bensalem, PA

Lot Size: 100' x 150'

Present Use: Single Family Residence

Proposed Use: Single Family Residence with a pool

Present Zoning Classification: R-1 Residential

Present Improvement upon Land: Single Family Residence

Deed recorded at Doylestown in Deed Book 486 Page 1761
Instrument Nos. 2013025183 and 2013041008

3. If this is an appeal to challenge, provide statement and/or basis for challenge to the validity of the zoning ordinance.

N/A

4. If this is an Appeal from action of the Zoning Administrative Officer then complete the following:

Date Determination was made: N/A

Your statement of alleged error of Zoning Administrative Office: _____

N/A

5. Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired):

§232-58

6. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):

Variance to permit an in-ground swimming pool to be constructed partially in a floodplain

7. Reasons appellant believes board should approve desired action (refer to section or sections of ordinance under which it is felt that desired action may be allowed, and not whether hardship is (or is not) claimed, and the specific hardship.

Pool will be anchored to prevent buoyancy with poured reinforced concrete walls around the pool and waterproofing to prevent infiltration.

8. Has previous appeal or application for special exception or variance been filed in connection with these premises?

☐ YES ☒ NO

Specifications of errors must state separately the appellant's objections to the action of the zoning administrative office with respect to each question of law and fact which is sought to be reviewed.

I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my knowledge and belief.


Appellant's or Owner's Signature

March 10, 2014

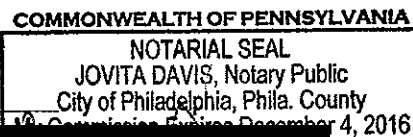
Date

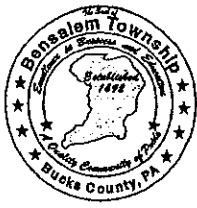
Sworn to and subscribed before me this

10th day of March 2014

Notary Public

My commission expires: 12/4/16





BENSALEM TOWNSHIP

Building and Planning Department

Office 215-633-3644 • Fax 215-633-3753

Matthew K. Takita

Director of Building and Planning

2400 Byberry Road • Bensalem, PA 19020

August 8, 2013

Ilya Sivchuck
6379 Sterling Ave
Bensalem, PA 19020

Project:	INGROUND POOL
Project Address:	6379 Sterling Ave Bensalem, PA 19020
Tax Parcel:	02-056-091
Property Owner:	Same as addressed
Permit Status:	Application Denied

Electronic Review Status

Dear Sir/Madam:

A review was conducted on the application for the referenced project pursuant to Chapter 232 ZONING, [Section 232-58]. The attached sheets show what was found during the review and this information is required to complete the permit application for the above referenced project.

The review process utilizes Adobe Acrobat allowing reviewers to make their comments directly on the plan pages. These comments are tracked throughout the review and a printed summary serves as the basis for a rejection on the project until required changes have been made. The attached sheets will show an image of the plan page including its associated comments with connector lines. Only those pages of the plans that require a revision have been generated and included.

You are required to resubmit plans with revisions and will need to burn the **complete** set of plans with revisions to a new disc. Return it to the Building & Planning Department. You are to include a summary list of **all** changes that were made to the plans including those required by the Township. For each change made to the plans, note the sheet number, drawing title, and a brief description of the change made. Please label the disc with the project address, date and revision number to distinguish it from any earlier submissions.

It is our intent that you receive as few rejections as possible and provide reviewers a more efficient method for completing the review by utilizing the comments summary. The print dialog box should include the following summary options:

- Layout - Document and comments with connector lines on single pages
- Font Size - Large font size
- Include - all comments
- **Clear** - the checkbox to NOT include pages containing no comments

It is possible that upon receipt of the revised plans, additional items for compliance may be required. This letter shall serve as formal notice that your permit application has been rejected for said project until such time as the requested information has been provided.

You have the right to appeal this rejection letter. Applications for the Zoning Hearing Board can be obtained from the Building and Planning Department located in the Municipal Building at 2400 Byberry Road, Bensalem.

Respectfully,

[Redacted Signature]
Harold W. Gans, P.E., P.L.S.
Township Engineer

[Redacted Email Address]
Email address

HWG/Iva
Enclosures

Summary of Comments on COMBINED.pdf

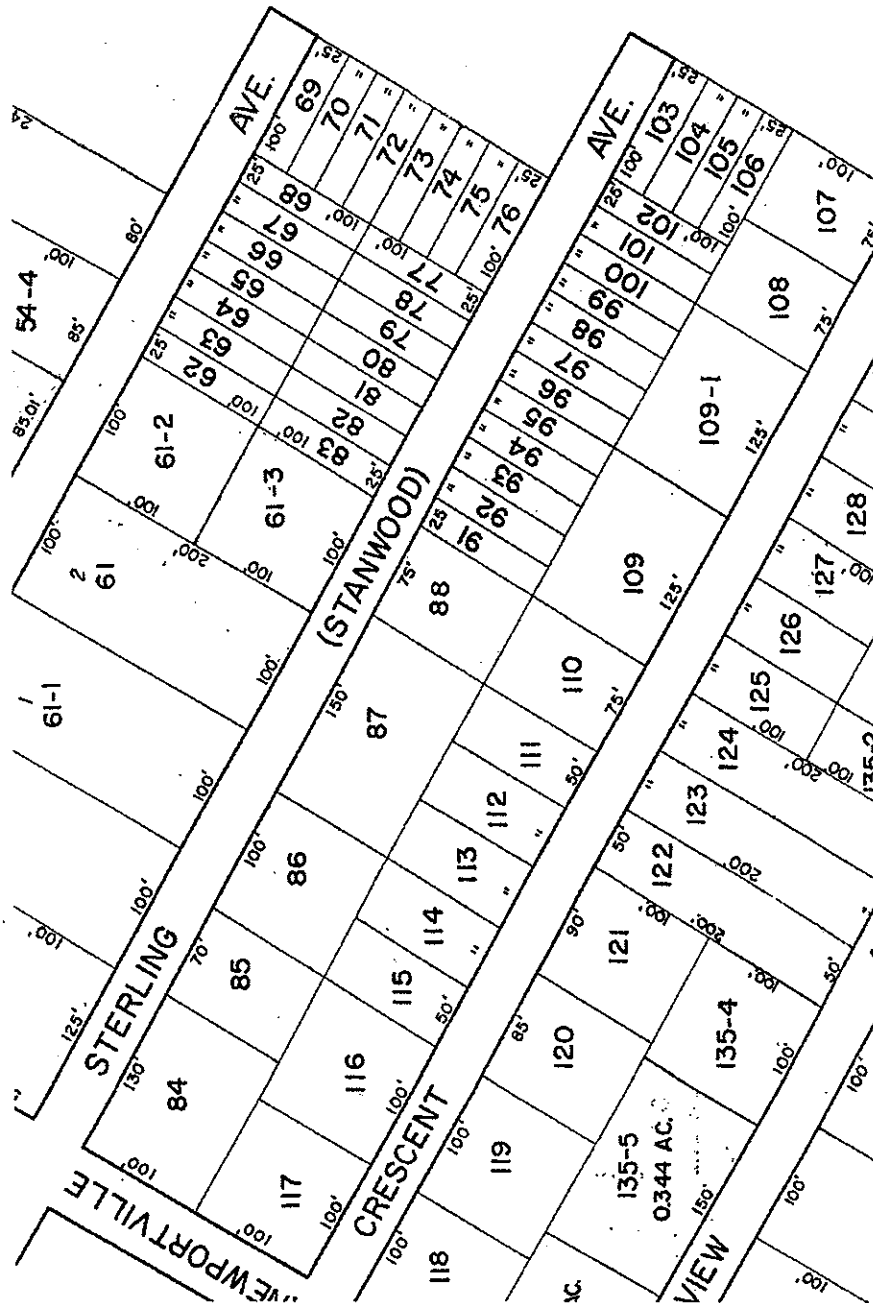
Page: 1

Number: 1 Author: rgans Subject: ZONING REJECTION Date: 8/8/2013 2:36:29 PM

Number: 2 Author: rgans Subject: Text Box Date: 8/8/2013 2:39:22 PM

The proposed pool is located within the 100 year floodplain which is not prohibited.
[Section 232-58]

Tax map Parcel 2-56-91



ILVA SIVCHUK
920 Old Dolington Road
 Newtown, Pennsylvania 18954

February 12, 2014

Bensalem Township Zoning Hearing Board
2400 Byberry Road
Bensalem, PA 19020

RE: Zoning Hearing Board Application of Alex and Dez Tkach
Premises: 6379 Sterling Avenue
Bensalem, PA 19020
Tax Map Parcels No. 2-56-91, 92, 93, 97, 98, 99, 100, 103 & 104

Dear Zoning Hearing Board Members,

I am the owner of the property at 6379 Sterling Avenue. I currently am leasing the property to Alex and Dez Tkach under the terms of a Lease Purchase Agreement between us. I know that Mr. and Mrs. Tkach want to install a swimming pool at the premises and that they will need a variance in order to install the swimming pool.

This letter is to signify that they have my full permission and authority to request a variance to build a swimming pool in the floodplain at the above captioned property. They will become the owners of this property in the not too distant future and the pool will be installed at their sole cost and expense. Please let this letter serve as authorization from me for them to request this variance.

Thank you for your consideration in this matter.

Very truly yours

Ilva Sivchuk

Sworn to and subscribed
before me this day

cc: Alex and Dez Tkach
Charles O. Marte, Jr., Esquire

